

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1726 - HB 1812

February 6, 2020

SUMMARY OF BILL: Requires the Tennessee Bureau of Investigation (TBI) to post on its public website an accessible list of persons convicted of two or more DUI offenses. Specifies the details of identifying information to be posted and timeframe the information must remain published. Requires court clerks to forward a copy of judgements of second or subsequent DUI offenses to the TBI within 60 days of judgement.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditure - \$394,500/FY20-21
\$174,500/FY21-22 and Subsequent Years**

Assumptions:

- Aspects of this legislation mirror the Drug Offender Registry (DOR), pursuant to Tenn. Code Ann. § 39-17-436.
- Currently, the TBI has one Criminal Justice Information System (CJIS) Support Specialist dedicated solely to maintaining and updating the DOR database. This specialist often requires assistance from other employees to properly maintain the database due to the back logs, non-compliance and errors submitted to TBI.
- When judgments are submitted to the TBI's Drug Investigations Division (DID), they are required to verify that the judgements meet the legal criteria for entry into the DOR and to verify that the correct information is retrieved.
- There is a high error rate on judgments received, which requires the CJIS Support Specialist to follow-up and make corrections before being entered onto the DOR. It is estimated that 50 percent of the judgments received either require follow-up or don't qualify for the registry. As such, the CJIS Support Specialist, with the help of an Intel Analyst, added 6,466 new drug offenders, many with multiple convictions, to the registry in 2019.
- TBI's CrimeInsight indicates that 19,083 DUI arrests were made in 2019. It is estimated that the TBI will receive at least 13,000 DUI offender judgements annually.
- Due to this increased workload, the TBI will require two additional CJIS Support Specialists to accomplish the maintenance of the DUI Registry database outlined in this legislation.
- The beginning salary for a CJIS Support Specialist is \$34,896 with \$12,362 in insurance and benefits.

- This results in a recurring increase to state expenditures of \$94,516 [(\$34,896 salary + \$12,362 insurance and benefits) x 2 positions].
- Further, the TBI will need to contract with the Computerized Criminal History (CCH) support vendor to build the new DUI Registry database system for DID CJIS Support Specialists to enter, store, report, and display individuals meeting the criteria per this legislation.
- Based on information provided by the TBI and confirmed by a third-party vendor, the cost to design, develop, test, and implement a new DUI Registry will be \$300,000. The required annual maintenance fee for the system will be \$80,000 in subsequent fiscal years.
- The total increase in state expenditures for FY20-21 will be \$394,516 (\$94,516 in personnel + \$300,000 in database creation).
- The total recurring increase in state expenditures in FY21-22 and subsequent years will be \$174,516 (\$94,516 in personnel + \$80,000 in database maintenance).
- This legislation is effective upon becoming law for purposes of promulgating rules and effective January 1, 2021 for all other purposes.
- In order for the database to be operative by January 1, 2021, the hiring and training of the CJIS Support Specialists would need to occur months prior this commencement. Therefore, it is assumed that personnel are considered a condition of promulgating rules and would require a full fiscal year impact for FY20-21.
- Any increase in workload to the court clerks can be accomplished with existing resources and personnel.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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